

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

ETHAN ALAN MORGAN

PLAINTIFF

v.

CIVIL ACTION NO. 2:08cv18-KS-MTP

FORREST COUNTY SHERIFF'S
DEPARTMENT, et al.

DEFENDANTS

ORDER

THIS MATTER is before the court on a motion for additional discovery [45] filed by plaintiff. Having considered the submissions of the parties and the entire record in this matter, the court finds that the motion should be granted in part and denied in part, as set forth below.

At an omnibus hearing held on August 22, 2008, defendants confirmed that all records in their possession pertaining to the incident in question, including medical records, had been produced to plaintiff. Indeed, plaintiff indicated that he was in possession of all the documents and information he needed in order to present his case to the court, and that no further discovery was needed. Accordingly, by Order [38] dated August 22, 2008, the court stated that "no further discovery will be permitted absent leave of court" and that the Order could "be amended only by a showing of good cause."

In the instant motion, plaintiff seeks leave of court to obtain numerous documents and responses to interrogatories from defendants. A number of the discovery requests appear to seek relevant information regarding policies and procedures at the Forrest County Regional Jail, and plaintiff has indicated in his motion that the requested materials are integral to his case, and that he will be unable to prepare his case without them. In addition, plaintiff's motion was filed well in advance of the current motions deadline. Accordingly, in light of the foregoing, the court finds

good cause to grant plaintiff much of the discovery he is seeking.¹

Accordingly,

IT IS ORDERED that plaintiff's motion for additional discovery [45] is granted in part and denied in part as set forth below. Defendants shall respond to the following discovery requests on or before December 22, 2008:

1. Document Request No. 1: Forrest County Regional Jail ("FCRJ") policies and procedures, if any, regarding pre-lockdown procedures.
2. Document Request No. 2: FCRJ policies and procedures, if any, regarding medical screening procedures prior to lockdown.
3. Document Request No. 3: Records of any adverse disciplinary actions taken against any individual defendant regarding any assaults on inmates. If any such records exist, defendants may redact addresses and personal information such as social security numbers, etc., prior to producing the records. Should defendants have any additional privacy concerns, they may submit the records to the court for an *in camera* review.
4. Interrogatory No. 1: State the precise role of the Forrest County Board of Supervisors in making, approving and enforcing the policies and procedures of the FCRJ.
5. Interrogatory No. 2: State the precise role of the Forrest County Sheriff's Department in making, approving, and enforcing the policies and procedures of the FCRJ.

¹ The motions deadline was originally set for November 3, 2008. On October 27, 2008, the court granted defendants' motion [43] and extended the motions deadline until December 18, 2008. The instant motion was filed on October 31, 2008.

Any additional relief requested by plaintiff is denied.

IT IS FURTHER ORDERED that in light of the additional discovery being granted herein, the motions deadline shall be extended a final time to January 12, 2009.

SO ORDERED and ADJUDGED this the 8th day of December, 2008.

s/ Michael T. Parker

United States Magistrate Judge